

**TRANSPORTATION PROVISIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

<b>Program</b>	<b>Competitive or Formula (if formula what is it?)</b>	<b>Funding Level</b>	<b>Funding Timeframe</b>	<b>Matching Requirements</b>	<b>Requirements Regarding Maintenance of Effort, Non-supplantation and Non-commingling</b>	<b>Other</b>
<p><b>Highways</b> <i>(For restoration, repair, construction and other activities eligible under paragraph (b) of section 133 of title 23, United States Code, and for passenger and freight rail transportation and port infrastructure projects eligible for assistance under subsection 601(a)(8) of Title 23.</i></p>	<p>After set-asides, 50 percent will be allotted based on the same ratio as the obligation limitation for FY 2008<sup>1</sup>, 50 percent based on the Surface Transportation Program (STP) formula<sup>2</sup>.</p> <p>Priority shall be given to projects that can be completed in 3 years and are in economically distressed areas.</p>	<p>\$27.5 billion, including set asides (see other).</p>	<p>Funds shall be apportioned within 21 days of enactment.</p> <p>Requires 50 percent of the funds to be obligated within 120 days and 100 percent of the funds to be obligated within one year. Funds not obligated will be reallocated to other states.</p> <p>At least 30 percent of the funds to be suballocated.</p> <p>Provides the secretary with the authority to provide for a 1 year extension as it relates to obligation for situations where a state has encountered extreme conditions that create an unworkable bidding environment and other extenuating circumstances.</p> <p>Funds are available through Sept. 30, 2010.</p>	<p>No match required.</p>	<p>The Governor shall submit to the Secretary of Transportation a statement identifying the amount of funds the State planned to expend from State sources as of the date of enactment of this Act during the period beginning on the date of enactment of this Act through September 30, 2010, for the types of projects that are funded by the appropriation. If a State is unable to maintain the certified level of effort, the State will be prohibited by the Secretary of Transportation from receiving additional limitation pursuant to the redistribution of the limitation on obligations for Federal-aid highway and highway safety construction programs that occurs after August 1 for fiscal year 2011.</p>	<p>Set asides are provided for: federal management and oversight (\$40 million); Indian Reservation roads (\$310 million); park roads and parkways (\$170 million); forest highways (\$60 million); refuge roads (\$10 million) ; ferry boats (\$60 million) on the job training programs focused on minorities, women, and the socially and economically disadvantaged (\$20 million); a bonding assistance program for minority and disadvantaged businesses (\$20 million); Puerto Rico Highway Program (\$105 million) and the territorial highway program (\$45 million); and environmentally friendly transportation enhancements.</p>

<sup>1</sup> This includes the following programs: Interstate Maintenance Program, National Highway System, Surface Transportation Program, Highway Bridge replacement and Rehabilitation Program, Congestion Mitigation and Air Quality Improvement Program and the Highway Safety Improvement Program.

<sup>2</sup> This is based on the following: total lane miles of federal-aid highways, total vehicle miles traveled on federal-aid highways, and estimated tax payments attributable to highway users paid into the Highway Account of the Highway Trust Fund.

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<b>Supplemental Discretionary Grants for Surface Transportation (New Program)</b>	Discretionary grants. Priority will be given to jobs expected to be completed within 3 years	\$1.5 billion. (Grants will be between \$20 million and \$300 million). Not more than 20 percent of the funds may be awarded within one state.	Criteria for the awards will be published within 90 days. Applications shall be submitted within 180 days following the announcement of the award criteria with project announcements made within one year of enactment  Funds are available through September 30, 2011	No match required.	Same MOE as required for highway funds.	The Secretary shall take such measures so as to ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities:
<b>High Speed Rail and Intercity Passenger Rail</b>	Discretionary grants.	\$8 billion.	Within 60 days the Secretary is required to submit a plan to the House and Senate Appropriations Committees. Within 120 days interim grant guidance shall be issued.  Funds are available through Sept. 30, 2012.	No match required.	Same MOE as required for highway funds.	The High Speed Passenger Rail program is a new initiative recently authorized under the Passenger Rail Investment and Improvement Act of 2008.
<b>Transit Capital Assistance</b>	After set-asides, the remaining funds to be allotted under Title 49 formulas: <ul style="list-style-type: none"> <li>• \$5.52 billion (80 percent) to urbanized areas (5307),</li> <li>• \$690 million (10 percent) for rural areas (5311), and</li> <li>• \$690 million (10 percent) for apportionments based on growing States and high density States formula factors (5340).</li> </ul> <p>In addition, the conference agreement provides 2.5 percent of the rural funds for tribal transit needs and includes \$100 million for discretionary grants to</p>	\$6.9 billion.	Apportionment shall be made within 21 days.  Requires 50 percent to be obligated within 180 days. Requires all funds to be obligated within 1 year.  Unobligated funds will be reallocated to other states.  Provides the secretary with the authority to provide for a 1 year extension as it relates to obligation for situations where a state has encountered extreme conditions that create an unworkable bidding environment and other extenuating circumstances.  Funds are available through Sept. 30, 2010.	No match required.	Same MOE as required for highway funds.	The Capital Assistance to States program first received funding in fiscal year 2008.

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	public transit agencies for capital investments that will assist in reducing the energy consumption or greenhouse gas emissions of their public transit agencies.					
<b>Capital Investment Grants</b>	Discretionary grants. According to the conference report, funds will be used for New Starts and Small Starts projects that are already in construction or are nearly ready to begin construction (projects able to be obligated within 150 days).	\$750 million	Legislation does not provide details on when the funds will be made available.  Funds are available through Sept. 30, 2010.	No match required.	Same MOE as required for highway funds.  Fund shall not be commingled with any prior year funds.	
<b>Fixed Guideway</b>	These funds will be distributed through an existing authorized formula for capital projects.	\$750 million	Apportionments shall be made within 21 days. Requires 50 percent to be obligated within 180 days.  Requires all funds to be obligated within 1 year. Unobligated funds will be reallocation to other states.  Provides the secretary with the authority to provide for a 1 year extension as it relates to obligations for situations where a state has encountered extreme conditions that create an unworkable bidding environment and other extenuating circumstances.  Funds are available through Sept. 30, 2010.	No match required.	Same MOE as required for highway funds.  Fund shall not be commingled with any prior year funds.	
<b>Amtrak</b>	Priority will be given to projects that can be completed within 2 years.	\$1.3 billion of which \$450 million is for capital security grants.	Awards shall be made within 30 days of enactment.  Funds are available through Sept. 30, 2010.	n/a	Same MOE as required for highway funds.  No supplantation for other federal state, local or corporate resources.	Not more than 60 percent of the funds can be used for capital projects along the northeast corridor.

*Source: National Conference of State Legislatures, updated March 3, 2009.*

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<b>Grants In Aid for Airports</b>	Discretionary. Priority given to projects that can be completed within 2 years	\$1.1 billion	The Secretary shall award 50 percent of the awards within 120 days, with the remaining amount awarded within one year.  Funds are available through Sept. 30, 2010.	No match required.	Same MOE as required for highway funds.  No supplantation from airport generated revenues or from other state or local resources.	Funds will be used by the FAA to provide discretionary airport grants to repair and improve critical infrastructure at our nation's airports. These investments will serve to provide important safety and capacity benefits.
<b>Federal Aviation Administration (FAA) - Supplemental Funding for Facilities and Equipment</b>	May be provided through grants in addition to other instruments authorized under section 106(1)(g) of title 49 United States Code.  Priority given to projects that can be completed within 2 years of enactment.	\$200 million. According to the joint explanatory statement issued by the conference committee, this includes \$50 million to upgrade the FAA power systems; \$50 million to modernize aging en route air traffic control centers; \$80 million to replace air traffic control towers and TRACONS; and, \$20 million to install airport lighting, navigation and landing equipment.	No later than 60 days after enactment the Administrator shall establish a process to apply for the funds.  Funds are available through Sept. 30, 2010.	No match required.	Same MOE as required for highway funds.	

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<b>Maritime Administration - Supplemental Grants for Assistance to Small Shipyards</b>	Grants to qualified shipyards as authorized under section 3508 of Public Law 110-417 or section 54101 of title 46, United States Code.	\$100 million.	The Secretary shall institute measures to ensure funds are obligated in 180 days.  Funds are available through Sept. 30, 2010.	n/a	Same MOE as required for highway funds.	

More information on the New Starts Program: [http://www.fta.dot.gov/planning/newstarts/planning\\_environment\\_2608.html](http://www.fta.dot.gov/planning/newstarts/planning_environment_2608.html)